

REMARKS

This is a response to the Non-Final Office Action mailed on July 3, 2007.

Status of the Claims

Claims 1-7 have been rejected.

Claim 1-7 have been amended to remove reference numbers and to place the claims in better condition in accordance with U.S. practice and not for reasons related to patentability. No new matter has been added.

Claims 1-7 are currently pending.

Claim Rejections -- 35 USC § 102

Claims 1-7 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,911,750 to Mandel et al. ("Mandel"). Applicants respectfully traverse the rejection.

Mandel discloses a refrigerator with an air flow system for a freezer compartment. The refrigerator includes a fan 117 and an evaporator 118. As can be seen in Fig. 3, an evaporator cover 119 is disposed between the evaporator 118 (disposed on the rear side of cover 119) and the freezer tower 123 (disposed on the front side of cover 119). (*See* Col. 4, lines 26-35). The refrigerator includes a return passage 139 that functions as an air intake passage for the evaporator 118 which cools the air. (*See* Col. 5, lines 26-35). The passage 139 does not function to distribute cool air into the freezer 62 or fresh food compartment 63, but rather as intake passage for air to be cooled by the evaporator 118. As can be seen in Fig. 3, the return passage 139 is located rear of the cover 119 and the passage 131 is located on the front side of cover 119. Thus, passages 139 and 131 are separate passages that are rear and forward of the cover 119, respectively.

In contrast, claim 1 calls for a distributing duct, "wherein the distributing duct carries a conduct, . . . said conduct being internal to the distributing duct." Mendel fails to disclose this arrangement because passage 139 is not internal to passage 131. Passages 139 and 131 are separate passages and one is not disposed internal to the other. Further, passage 139 is positioned separately

to provide a separate function than passage 131. Passage 131 delivers cool air from the evaporator to the fresh food compartment 63 while passage 139 returns hot air from the compartment 63 back to the evaporator. Mendel fails to disclose a conduct “internal to the distributing duct” as recited in claim 1. Thus, Mendel does not disclose each and every element of claim 1. Therefore, Applicants respectfully request withdrawal of the rejection to claim 1.

Further, the Examiner states that freezer door 89 provides a “front opening” as recited in claim 1. Applicants respectfully disagree. Claim 1 calls for “a distributing duct having . . . at least one front opening communicating with the freezing compartment.” The freezer door 89 disclosed by Mendel provides communication between freezer compartment 62 and the outside environment, and not between “a distributing duct” as recited in claim 1.

Claims 2-7 depend either directly or indirectly from claim 1 and are allowable based at least upon the reasons given above regarding claim 1. Therefore, Applicants respectfully request withdrawal of the rejection of claims 2-7.

Further, with respect to claim 2, the Examiner interprets the term “incorporated” as meaning side-by-side. Applicants respectfully disagree. Applicants submit that “wherein the conduct is incorporated to the distributing duct” refers to the conduct and the distributing duct that are formed as a single piece. (Specification, Page 7, lines 21-25). As discussed above with respect to claim 1, passages 131 and 139 are separate passages. Thus, Mendel does not disclose each and every element of claim 2. Further, claim 2 depends directly from claim 1 and is allowable based at least upon the reasons given above regarding claim 1. Therefore, Applicants respectfully request withdrawal of the rejection of claim 2.

Further, claim 7 calls for a “conduct [that] conducts a forced airflow, . . . which is supplied by the air-cooling compartment to the conduct.” Thus, claim 7 calls for air to be supplied **from** the air-cooling compartment **to** the conduct. In contrast, as can be seen by the air flow direction arrows in Fig. 3 of Mendel, air is supplied from passage 139 to the cooling evaporator 118. Thus, Mendel does not disclose each and every element of claim 7. Further, claim 7 depends

7 depends indirectly from claim 1 and is allowable based at least upon the reasons given above regarding claim 1. Therefore, Applicants respectfully request withdrawal of the rejection of claim 7.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

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